

PINs:
07-03-103-017
07-03-103-018

ADDRESS:
NEC OF WESTINGS AV. & CITYGATE LN.
NAPERVILLE, IL 60563

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK'S OFFICE
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #20-1-011

ORDINANCE NO. 20- ____

**AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION AND THE OWNER'S
ACKNOWLEDGEMENT AND ACCEPTANCE (OAA) FOR THE
RESUBDIVISION OF LOTS 2 & 3 OF CITYGATE CENTRE SUBDIVISION
(LINCOLN AT CITYGATE CENTRE)**

RECITALS

1. **WHEREAS**, CityGate Centre II, LLC ("Owner") owns certain property located at the northeast corner of Westings Avenue and CityGate Lane, Naperville, Illinois which property is legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and
2. **WHEREAS**, CityGate Centre Ventures, LLC ("Petitioner") has petitioned the City of Naperville ("City") for approval of a Final Plat of Subdivision for the Resubdivision of Lots 2 & 3 of CityGate Centre Subdivision to combine Lot 2 and a portion of Lot 3 in order to construct an approximately 482,358 square foot, 5-story multi-family residential apartment building including an approximately 38,000 square foot roof level event center and associated parking on the Subject Property; and

3. **WHEREAS**, the Petitioner also requests to vacate the 30' building line along Westings Avenue platted per Doc. R2000-110800; and
4. **WHEREAS**, on September 03, 2019, the Naperville City Council passed Ordinance 19-123, approving the Preliminary Subdivision Plat for Resubdivision of Lots 2 & 3 of CityGate Centre Subdivision in order to resubdivide the property to allow development of the apartment building and roof level event center; and
5. **WHEREAS**, any conversion of the residential apartment building described above to condominiums in the future shall require full compliance with the City of Naperville Condominium Regulations then in effect.
6. **WHEREAS**, the Owner has offered to contribute two hundred thousand dollars (\$200,000.00) to promote affordable or attainable housing in the City of Naperville, or for such other related purpose as the City deems appropriate in its sole discretion, which payment shall be made prior to issuance by the City of a building permit for any portion of the Subject Property; and
7. **WHEREAS**, the City Council of the City of Naperville has determined that the Final Plat of Subdivision for the Resubdivision of Lots 2 & 3 of CityGate Centre Subdivision should be approved as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing Recitals are incorporated as though fully set forth in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: The Final Plat of Subdivision for the Resubdivision of Lots 2 & 3 of CityGate Centre Subdivision, attached hereto as **Exhibit B**, is hereby approved.

SECTION 3: A platted setback deviation in order to permit the vacation of the 30' building setback line platted per Doc. R2000-110800 is hereby approved

SECTION 3: The Owner's Acknowledgement and Acceptance (OAA) for Resubdivision of Lots 2 & 3 of CityGate Centre Subdivision, attached to this Ordinance as **Exhibit C**, is hereby approved.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 5: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code.

SECTION 6: The City Clerk is authorized and directed to record this Ordinance and the exhibits with the DuPage County Recorder.

SECTION 7: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2020.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk